

Sixth Appellate District

San Jose, California

MONDAY, MAY 8, 2006

H027795 FLORES, et al. v. KENDALL, et al.

The Order On Demurrer, which we construe to incorporate a judgment of dismissal, is modified to strike the \$2,500 sanctions award. As so modified, the judgment is affirmed. The parties shall bear their own costs on appeal. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed May 8, 2006

H029079 PEOPLE v. CHAVEZ

The abstract of judgment is ordered modified by striking the \$500 parole revocation restitution fine imposed pursuant to section 1202.45. As so modified, the judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed May 8, 2006

H028674 PEOPLE v. SHAZIER

The judgment is reversed. (published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed May 8, 2006

H028760 PILLET v. KENDRICK

The appeal from the judgment is dismissed. The motion to dismiss the appeal from the order denying the motion to vacate the judgment is denied. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed May 8, 2006

TUESDAY, MAY 9, 2006

The following cases are submitted this date:

H029071 PEOPLE v. MONESTIME
H029440 PEOPLE v. HOWAY
H029167 PEOPLE v. BUTLER
H029461 PEOPLE v. RUBIO
H029246 PEOPLE v. MAGEE
H029462 PEOPLE v. BOYD
H029363 PEOPLE v. VALENCIA
H029500 PEOPLE v. RICHARDSON

H028835 PEOPLE v. BARRIOS

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)
Filed May 9, 2006

Sixth Appellate District

San Jose, California

Tuesday, May 9, 2006 (continued)

H028773 PEOPLE v. MOHAMUD

(Filed order modifying opinion.) There is no change in judgment. The petition for rehearing is denied. (not published) (Premo, J.; We concur: Rushing, P.J., Duffy, J.)
Filed May 9, 2006

H029495 PEOPLE v. LOPEZ

The judgment is affirmed. (not published)
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed May 9, 2006

H028226 PEOPLE v. SMITH

The judgment is modified to reflect a restitution fine of \$10,000 pursuant to Penal Code section 1202.4, subdivision (b) and a parole revocation restitution fine of \$10,000 pursuant to Penal Code section 1202.45, which is suspended unless parole is revoked. The clerk of the superior court shall forward a copy of the amended abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed. (not published)
(Mihara, J.; We concur: Rushing, P.J., Elia, J.)
Filed May 9, 2006

H028484 PEOPLE v. WESSON

By the Court*:

Appellant's petition for rehearing is denied.
Filed: May 9, 2006
*Before Mihara, Acting P.J., McAdams, J. and Duffy, J.

WEDNESDAY, MAY 10, 2006

H029287 PEOPLE v. LEGGE, JR.

The appeal is dismissed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed May 10, 2006

H028865 SARANITI v. HALLIGAN

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed May 10, 2006

H028078 PEOPLE v. GORDON

By the Court*:

Appellant's petition for rehearing is denied.
Filed: May 10, 2006
*Before Premo, Acting P.J., Elia, J. and Bamattre-Manoukian, J.

Sixth Appellate District

San Jose, California

THURSDAY, MAY 11, 2006

H028352 NELSON v. NELSON

The judgment is modified so that Arista's equalization payment is set at \$62,470.50. As so modified, the judgment is affirmed. Each party to bear his or her own costs on appeal.

(not published)

(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)

Filed May 11, 2006

H028885 PEOPLE v. GONZALES

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Duffy, J.)

Filed May 11, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Elia, J.; Mihara, J.; and J. Michel, Deputy Clerk.

H028630 BUSTAMANTE v. INTUIT, INC.

Cause called and argued by David W. Holman appearing for Appellant and by Laurence F. Pulgram appearing for Respondent. Cause ordered submitted.

Mihara, J. leaves the bench and Premo, J. takes the bench.

H029108 PEOPLE v. HOANG N.

Cause called and argued by David Bruce Burnett appearing for Appellant and by Christopher W., Grove Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H028527 PEOPLE v. NGUYEN

Cause called and argued by Philip M. Brooks appearing for Appellant and by Jeremy Friedlander, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H028724 WEINBERG, et al. v. MAJUMDER

Cause called and argued by Thomas B. French appearing for Respondent and by Marc Weinberg appearing for Appellants. Cause ordered submitted.

H028994 KATZ v. CAMPBELL UNION HIGH SCHOOL DISTRICT

Cause ordered off calendar.

Court stands in adjournment.

Sixth Appellate District

San Jose, California

FRIDAY, MAY 12, 2006

The following case is submitted this date:

H029627 In re ABRAHAM C.; MONTEREY COUNTY DSS v. ERNEST O.

H028755 PEOPLE v. DAVENPORT

The judgment is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed May 12, 2006